

**INSTRUCTIONS FOR
MOTION AND ORDER TO WAIVE FILING FEES FOR QUALIFIED LEGAL SERVICES PROVIDERS**

Updated February, 2011

If you are a Qualified Legal Services Provider (QLSP) as defined in APR 8(e)(2) complete the Motion and Declaration, and Order Re Waiver of Civil Filing Fees and Surcharges, and present to the Ex Parte and Probate Department in person, at either the King County Courthouse Room W325, or at the MRJC Room 1-J.

After getting the Order signed by a court commissioner, take it with all the case initiating forms to the Cashier's Window in the Clerk's Office (Room E609, on the 6th Floor of the King County Courthouse or Room 2C at the MRJC). You must file the originals of all forms the same day the Commissioner signs the order. DO NOT remove the order from the courthouse.

- The Ex Parte Department at both locations is open 9:00 a.m. to 11:45 and 1:30 p.m. to 4:00 p.m.
- The King County Superior Court Clerk's Office (Room E609) is open 9:00 a.m. to 12:15 pm, and 1:15 pm to 4:30 p.m.

**Superior Court of Washington
For King County**

Petitioner/Plaintiff,
vs.

Respondent/Defendant.

No. _____

**Motion and Declaration For Waiver of
Civil Filing Fees and Surcharges
(QLSP Filing)
(MTAF)**

I. Motion

On behalf of the [] petitioner/plaintiff [] respondent/defendant, I am asking for a waiver of all filing fees and surcharges.

I base this motion on GR 34(a) and the declaration, below.

Dated: _____

Signature of Lawyer

WSBA No.

Print or Type Name

II. Declaration

I declare that,

2.1 I represent the [] petitioner/plaintiff [] respondent/defendant.

2.2 I am an attorney working with _____, which is a Qualified Legal Services Provider (QLSP) as defined by the Washington State Bar Association in APR 8(e)(2).

2.3 I am working with the QLSP as an:

☐ attorney employed by the QLSP, or
☐ attorney working in conjunction with the QLSP.

2.4 The QLSP screened the ☐ petitioner/plaintiff ☐ respondent/defendant and found the litigant eligible for free civil legal aid services.

☐ (Check if applies.) I filed this motion by mail. I enclosed a self-addressed stamped envelope for timely return of a conformed copy of the order.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____ on (date) _____.

Signature of Lawyer

WSBA No.

Print or Type Name

**Superior Court of Washington
For King County**

No. _____

Petitioner/Plaintiff,
vs.

Respondent/Defendant.

**Order Re Waiver of Civil Filing Fees
and Surcharges**

☐ **Granted (ORPRFP)**

☐ **Denied (ORDYMT)**

☒ Clerk's Action Required 3.1

I. Basis

The court received the motion to waive filing fees and surcharges filed by or on behalf of the
☐ petitioner/plaintiff ☐ respondent/defendant.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

2.1 ☐ The moving party is indigent based on the following: He or she:

☐ is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or

☐ receives benefits from one or more needs-based, means-tested assistance programs; and/or

☐ has household income at or below 125% of the federal poverty guideline; and/or

☐ has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or

☐ other: _____

2.2 ☐ The moving party is not indigent.

2.3 ☐ Other: _____

III. Order

Based on the findings the court orders:

3.1 ☐ The motion is granted, and

☐ all filing fees and surcharges the payment of which is a condition precedent to the moving party's ability to secure access to judicial relief are waived.

☐ The Petitioner shall pay the Family Law Facilitator surcharge fee only.

☐ This is a joint petition; the Respondent shall pay the filing fee prior to entry of the final decree and proof of payment must be given to the court at the final hearing, unless they separately qualify for a fee waiver.

☐ If the Respondent joins in the Petition (i.e. Joinder is filed), the filing fee shall be paid prior to the entry of the final decree and proof of payment must be given to the court at the final hearing.

☐ other: _____

3.2 ☐ The motion is denied.

3.3 If there is a material change in financial circumstances, the ruling can be revisited by the court or the moving party.

If the motion was granted and the court, upon review, later finds that either the petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the moving party or another party to pay the filing fees and/or surcharges that have been waived by this order.

Dated: _____

Judge/Commissioner

Presented by:

Signature of Party or Lawyer/WSBA No.

Print or Type Name

Date